

# **EXHIBIT 13**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

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IN RE: NATIONAL PRESCRIPTION      MDL No. 2804  
OPIATE LITIGATION      Case No. 17-md-2804

This document relates to:      Judge Dan  
   Aaron Polster

The County of Cuyahoga v. Purdue  
Pharma, L.P., et al.  
Case No. 17-OP-45005

City of Cleveland, Ohio vs. Purdue  
Pharma, L.P., et al.  
Case No. 18-OP-45132

The County of Summit, Ohio,  
et al. v. Purdue Pharma, L.P.,  
et al.  
Case No. 18-OP-45090

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Videotaped 30(b)(6) Deposition of the  
Drug Enforcement Administration  
through the testimony of Stacy Harper-Avilla  
Washington, D.C.  
April 11, 2019  
9:16 a.m.

Reported by: Bonnie L. Russo  
Job No. 3282688

1           A.       In summary, it is the maximum amount  
2       that the United States actually needs for its  
3       domestic needs, for legitimate, medical,  
4       scientific, research needs, exportation needs  
5       and inventory allowances.

6           Q.       Okay. Does DEA determine what that  
7       number is on an annual basis?

8                   MR. CHANDLER: Objection. Vague.  
9                   You can answer.

10           THE WITNESS: I don't understand the  
11       question.

12                   BY MR. O'CONNOR:

13           Q.       Is DEA responsible for determining  
14       the aggregate production quota?

15           A.       DEA is the agency that publishes it,  
16       but we work in concert with other agencies.

17           Q.       Okay. What other agencies do you  
18       work with?

19           A.       FDA.

20           Q.       Any other agencies?

21           A.       When necessary, yes.

22           Q.       What would those other agencies be?

23           A.       Those within the bounds of DOJ and  
24       HHS.

25           Q.       When you work with FDA in connection

1           A.     Yes.

2           Q.     Do any others come to mind after we  
3 just reviewed five? Oxymorphone, for example?

4           A.     Correct.

5           Q.     Oxy -- I will leave it at that.

6                     Now, Mr. O'Connor asked you several  
7 questions about the information DEA considers  
8 in setting the aggregate production quota.

9                     Do you remember that testimony  
10 today?

11          A.     Yes.

12          Q.     You testified that DEA sets each of  
13 these quotas annually, correct?

14          A.     Correct.

15          Q.     Now, do wholesale manufacturers such  
16 as McKesson, Cardinal and AmerisourceBergen  
17 provide any information to DEA that is used to  
18 set those quotas?

19                     MR. ELSNER: Objection.

20                     THE WITNESS: Quotas are not related  
21 to distributors, so no.

22                     BY MR. EPPICH:

23          Q.     And pharmacy chains, such as CVS,  
24 Walgreens, Rite Aid, Walmart, Giant Eagle, HBC,  
25 they also don't provide any information to DEA

1           that is used to set the quotas, correct?

2                   MR. ELSNER:   Objection.

3                   MR. CHANDLER:   Objection.

4                   THE WITNESS:   The list of companies  
5           you just provided do not receive quota and  
6           therefore, are not considered for aggregate  
7           production quotas.

8                   BY MR. EPPICH:

9                   Q.       DEA does not consult with wholesale  
10           distributors, such as McKesson, Cardinal and  
11           AmerisourceBergen when DEA sets the quotas for  
12           controlled substances, correct?

13                  A.       Correct.

14                  Q.       And DEA does not consult with  
15           pharmacy chains, such as CVS, Walgreens, Rite  
16           Aid, Walmart, Giant Eagle, HBC, when DEA sets  
17           quotas for controlled substances?

18                  A.       Correct.

19                  MR. CHANDLER:   Objection.

20                  BY MR. EPPICH:

21                  Q.       Wholesale distributors, such as  
22           McKesson, Cardinal, AmerisourceBergen, they do  
23           not apply for DEA -- to DEA for quotas, do  
24           they?

25                  MR. CHANDLER:   Objection.

1 THE WITNESS: Correct.

2 BY MR. EPPICH:

3 Q. And pharmacy chains, such as CVS,  
4 Walgreens, Rite Aid, Walmart, Giant Eagle, HBC,  
5 they also do not apply to DEA for quotas,  
6 correct?

7 MR. CHANDLER: Objection. Scope.

8 MR. ELSNER: Objection.

9 THE WITNESS: Correct.

10 BY MR. EPPICH:

11 Q. Now, DEA is required by law to  
12 establish aggregate production quotas for  
13 certain controlled substances, correct?

14 A. Correct.

15 Q. There are a number of statutes and  
16 regulations that govern the process DEA must  
17 follow and the considerations DEA must consider  
18 in establishing quotas for controlled  
19 substances?

20 MR. CHANDLER: Objection.

21 THE WITNESS: Correct.

22 BY MR. EPPICH:

23 Q. And DEA endeavors to comply with  
24 these statutes and regulations governing the  
25 establishment of quotas for controlled